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In re U.S. Patent Application of: )

Group Art Unit: 2645

Charles Meubus et al. )

Examiner: Joseph T. Phan

Serial No.: 09/401,521 )

Attorney Docket: 92118-11C

Filed: September 22, 1999 )

For: INTERNET-BASED TELEPHONE  
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The Commissioner for Patents  
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Dear Sir:

PTO Customer No. 22463

**RESPONSE TO NOTIFICATION OF NON-COMPLIANCE WITH 37 CFR 1.192(C)**

In response to the notification of non-compliance with 37 CFR 1.192(c) of June 16, 2004,  
the Applicant submits herewith a revised Appeal Brief, in triplicate.

The Arguments section of the Appeal Brief has been amended to include a further  
explanation as to why subsets of claims within each group to which a single ground of rejection  
has been applied by the Examiner are separately patentable.

For clarity, it is noted that the Applicant-specified "Claim Groups I and II" are actually  
sub-groups (subsets of claims) within the first Examiner-specified group of claims to which a  
single ground of rejection was applied (namely, 35 U.S.C. 102). Similarly, the Applicant-

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specified "Claim Groups III and IV" are actually sub-groups within the second Examiner-specified group of claims to which a single ground of rejection was applied (namely, 35 U.S.C. 103).

It is believed that the revised Appeal Brief complies with 37 CFR 1.192(c)(7). If the Examiner does not agree, referral of the Appeal Brief to the Board of Patent Appeals and Interferences is respectfully requested.

In view of the foregoing, consideration of the Appeal Brief on the merits is requested.

Respectfully submitted,



Matthew Zischka  
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To Fax no.: 703 872.9306  
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Attention: Board of Appeals  
Examiner: Joseph T. Phan  
United States Patent and  
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From: Matthew Zischka

Your file no.: 09/401,521

Date: July 16, 2004

Reply to Toronto file no.: 92118-11C

Time:

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**Attached please find:**

1. **Response to Notification of Non-Compliance with 37 CFR 1.192(C);**
2. **Appeal Brief (in triplicate)**

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